TIMISKAMING FIRST NATION

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Projet d'aménagement hydroélectrique à Angliers

Abitibi-Témiscamingue 6211-03-065

Ms. Sylvie Girard, Chairperson,
Commission re: the Angliers Hydro proposal,
Bureau d'audiences publiques sur l'environnement,
Edifice Lomer-Gouin,
575, rue Saint-Amable, bureau 210,
Quebec City, QC G1R-6A6.

9 July 2003.

Dear Ms. Girard

Re: Timiskaming First Nation Land Rights and Angliers Proposal.

It has been over a month since we presented our concerns to your Commission at Angliers and I feel it is important to follow up on these issues now. While I fully appreciate that you were not in a position to substantively respond to all of our concerns at the hearing, it is imperative that these issues be addressed before this project moves to the next stage.

As was stated during our presentation, the government of Quebec's legal duty to consult with affected First Nations was not fulfilled by the one day BAPE hearing at Angliers. While we have no complaints with an open public forum, we cannot allow our rights to simply be regarded as one of many interest groups vying for time at a public session. Throughout this process we have asked for the government of Quebec to provide a format through which our rights and interests will be addressed in a satisfactory manner. Unfortunately, our requests have been continually overlooked or pushed to the sidelines. This is unacceptable.

I recognize that the BAPE Commission does not have the authority to negotiate land issues on behalf of the Government of Quebec. However, as a body set up to look into the Angliers hydro development issue, it falls to your Commission to lay out a path by which our two peoples can walk towards reconciliation. This should include adequate consideration and study of the relevant issues, which include our rights and interests.

Timiskaming First Nation holds unextinguished Aboriginal title to the lands in question. Your Commission has been briefed on the obligations of the Crown in dealing with infringements of Aboriginal Title. We fully expect these obligations to be met, and we are not satisfied that B.A.P.E. has taken adequate steps to meet its responsibilities in this regard.

We would prefer to deal with the proposed project through discussions and cooperation, rather than through legal or other extraordinary means.

In light of this, I am hoping you can address the following issues:

1) What recommendations will the BAPE commission make to address our First Nation's technical and financial inability to adequately assess issues raised by hydro development on our territory?

2) What mechanism will you recommend to ensure the Crown engages in full consultations regarding potential infringements of the Timiskaming First Nation's Aboriginal title and rights?

3) What recommendations will your Commission make to ensure that our community is provided with all relevant technical information in English? The failure of the proponent and the government to provide our community with resources in a language that we understand has left us unable to fully represent our interests in this matter, and makes a mockery of the notion of "consultation".

On behalf of my community I would like to make it clear that we need to develop a workable framework which will not only address the unresolved issues at Angliers, but can serve as a path for dealing with other potential hydro developments on the Riviere des Quinzes waterways.
I look forward to your response to these concerns.

Meegwetch,

Beverly Polson Chevrier

Beverly Polson-Chevrier
Acting Chief Timiskaming First Nation

cc. David Anderson, MP, Minister of the Environment
Grand Chief Carol McBride, Algonquin Nation Secretariat
Chief Steve Mathias, Long Point First Nation
Chief Harry St. Denis, Wolf Lake First Nation
Benoit Pelletier, MNA, Minister responsible for Aboriginal Affairs
Gilbert Barrette, MP, Temiscamingue
Daniel Bernard, MNA, Rouyn-Noranda-Temiscamingue